UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,733	09/22/2003	Hiroki Mitsumoto	031170	4668

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EXAMINER
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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-15* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-15* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *3/15/04, 1/03/07*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Applicant cannot claim the foreign priority date of 03/19/2001, since the application was not filed within 30 months prior to the foreign priority date.

Claim Objections

In paragraph 5 of the preferred embodiments, line 6 points to Fig 6(a) in the drawings, however there is no 6(a) in the drawings. Also in paragraph 5, line 7 table 251 is referenced, however it is not show in the drawings. Also in paragraph 5, line 10, tables 251-252 are referenced and not shown in the drawings.

Claim Rejections- 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C 102 that forms the basis for the rejections under this section made in this Office Action:

A person shall be entitled to a patent unless-

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or sale in this country, more than one year prior to the date of application for patent in the United States.

1.   Claims 1,3-7,10-13,15 are rejected under 35 U.S.C 102b as being anticipated by US Patent number 6,039,250 issued on March 21, 2000, b Atsushi Ito and Hiroyo Yokohoma, hence for the referred to as Ito et al.

2.   Regarding claim 1, Ito teaches the electronic money remittance method for remitting electronic money for a first user to a storage means storing electronic money

of a second user (Column 3, lines 60-62). He also teaches receiving predetermined remittance

order information from a terminal for use by the first user (Column 3, lines 40-43). He also

teaches a program for depositing an electronic money amount equivalent to the remittance in

the storage means of the second user based on the remittance order information, and

subtracting the amount equivalent to the remittance from a predetermined account balance

related to the first user (Column 3, lines 47-50). Ito also teaches transmitting the program to a

terminal for use by the second user (Column 4, lines 24-26). He also teaches receiving a

remittance instruction transmitted from the terminal for use by the second user as a

consequence that the program received by the terminal for use by the second user is executed

by said terminal (Column 4, 27-32). He also teaches depositing an electronic money amount

equivalent to the remittance by accessing the storage means of the second user connected to

the terminal for use by the second user according to the remittance instruction, and adding the

amount equivalent to the remittance to an electronic money management account balance

related to the electronic money 25 stored in the storage means of the second user. (Fig 3:305;

col 6, lines 42-52; col 4, lines 60-63).

Regarding claim 3, Ito teaches The electronic money remittance method according to claim1,

wherein, an electronic money account due for remittance is opened; the remittance amount

subtracted from a predetermined account balance of the first user is transferred to the electronic

money account due for remittance; and according to the remittance instruction, the remittance is

transferred from the electronic money account due for remittance to the electronic money

management account. (Column 4, lines 23-26 & column 5, lines 16-20 & 22-27).

Regarding claim 4, Ito teaches the he electronic money remittance method according

to claim 1,wherein, when the first user owns a storage means storing electronic money, an

electronic money amount equivalent to the remittance is subtracted from the electronic money

management account balance related to the electronic money stored in said storage means of the first user; and further, the storage means of the first user connected to the terminal for use by the first user is accessed, and an electronic money amount equivalent to the remittance is paid out from said storage means (Column 2, lines 3-27).

Regarding claim 5, Ito teaches the electronic money remittance method according to claim 1, wherein, when the first user does not own any storage means storing electronic money, an amount equivalent to the remittance is subtracted from a bank account balance of the first user (Column 6, lines 23-26).

Regarding claim 6, Ito teaches he electronic money remittance method according to claim 1, wherein the storage means is an IC card (Column 3, line 39).

Regarding claim 7, Ito also teaches the electronic money remittance method according to claim 6, wherein the remittance order information includes identification information of the IC card of the second user, and the remittance amount (Column 4, lines 14-28).

Regarding claim 10, Ito teaches the electronic money remittance method according to claim 1, wherein the program is attached to an electronic mail 5 and transmitted to the terminal for use by the second user (column 4, lines 44-51).

Regarding claim 11, Ito teaches an electronic money system for remitting electronic money from a first user to a storage mean storing electronic money of a second user, comprising a network server connecting to a terminal for use by a first user and a terminal for use by a second user through a network; and an electronic money server managing electronic money of each user, the network server receives remittance order information generated in the terminal for use by the first user; based on the remittance order information, the electronic money server generates a program for depositing an electronic money amount equivalent to the remittance in the storage means of the second user, and subtracts an amount equivalent to the remittance from a

predetermined account balance related to the first user;

the network server transmits the program to the terminal for use by the second user; and

according to a predetermined remittance instruction which is transmitted from the terminal for use by the second user as a consequence that the program received by the terminal for use by the second user is executed by said terminal, the electronic money server accesses the storage means of the second user connected to the terminal for use by the second user, deposits an electronic money amount equivalent to the remittance, and adds the amount equivalent to the remittance to an electronic money management account balance related to the electronic money 20 stored in the storage means of the second user (column 3, lines 52-58; column 4, lines 60-63; column 5, lines 43-45; column 8, lines 22-25).

Regarding claim 12, Ito teaches a program executable in a terminal for use by the second user to remit electronic money from a first user to a storage means storing electronic money of a second user, said program comprising the processing steps of: enabling an electronic money server to access the storage means of the second user connected to the terminal for use by the second user, and to deposit an electronic money amount equivalent to the remittance, and generating a remittance instruction for adding the amount equivalent to the remittance to an electronic money management account balance related to the electronic money stored in the storage means of the second user; and transmitting the remittance instruction to the electronic money server through a network (Column 9, lines 37-58).

Regarding claim 13, Ito teaches an electronic money server for remitting electronic money from a first user to a storage means storing electronic money of the second user, comprising: a first processing section which generates a program for depositing an electronic money amount equivalent to the remittance in the storage means of the second user, and subtracts the amount equivalent to the remittance from a predetermined account balance related to the first user,

based on remittance order information generated in a terminal for use by the first user; and a

second processing section which accesses the storage means of the second user connected to

a terminal for use by the second user, deposits an electronic money amount equivalent to the

remittance according to a remittance instruction which is transmitted from the terminal for use by

the second user as a consequence that the program received by the terminal for use by the

second user is executed by said terminal, and adds the amount equivalent to the remittance to

an electronic money management account balance related to the electronic money stored in the

storage means of the second user (Column 10, lines 31-39).

Regarding claim 15, Ito teaches a terminal for use by a second user, performing a processing

for electronic money remittance from a first user to a storage means of the second user,

comprising: communication section which receives, from an electronic money server managing

electronic money of each user, a program for depositing an electronic money amount equivalent

to the remittance into the storage means of the second user; and an execution section which

executes the program, wherein, by executing the program by the execution section, the

communication section enables the electronic money server to access the storage means of the

second user connected to the terminal, and deposit the electronic money amount equivalent to

the remittance, and the communication section transmits, to the electronic money server

through a network, a remittance instruction for adding the amount equivalent to the remittance

to an electronic money management account balance related to the electronic money in the

storage means of the second user (Column 5, lines 41-48; column 8; 23-36 & 49-57).

Claim Rejections- 35 USC § 103

The following is a quotation of 35 U.S.C 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

*A patent may not be obtained though the invention is not identically disclosed or
described as set forth in section 102 of this title, if the differences between the subject
matter sought to be patented and the prior art are such that the subject matter as a
whole would have been obvious at the time the invention was made to a person having
ordinary skill in the art to which said subject matter pertains. Patentability shall not be
negatived by the manner in which the invention was made.*

3.   Claims 2,8-9,14 are rejected under 35 U.S.C 103 (a) are being unpatentable over Ito in

view of "The Electronics Communicator,30(15),4. (Proquest Copy).

As per claim 2, Ito does not teach the electronic money balance stored in the storage means of

each user is managed in the electronic money management account either separately on a per

storage means basis or collectively. Therefore, it would have been obvious to one of ordinary

skill in the art at the time the invention was made to modify the invention of Ito to include a

means to store the electronic money balance separately on a per storage means basis or

collectively.

As per claim 7, Ito does not teach the identification information of the IC card of the second user

is a card number of said IC card. Therefore it would have been obvious to one of ordinary skill

in the art at the time the invention was made to modify the invention of Ito to include the

identification information of the IC card of the second user is a card number of said IC card.

As per claim 8, Ito teaches the identification information of the IC card of the second user as an

electronic-mail address of the second user (Column 4, lines 49-50). As per claim 8, Ito does not

teach the electronic money system, which includes a mapping table between the IC card

number of each user and the electronic mail address, and obtains the IC card number of the

second user based on said mapping table. Therefore it would have been obvious to one of ordinary skill in the art to modify the invention of Ito to include a means for mapping the IC card number of each user and their email address to obtain the IC card number of the second user. Regarding claim 14, Ito teaches a terminal for use by a first user, performing a processing for electronic money remittance from the first user to a storage means of a second user and a communication section which transmits through a network the remittance order information generated according to the remittance order information generation screen to an electronic money server managing electronic money of each user. (Column 5, lines 9-11 & 27-34). As per claim 14, Ito does not teach the display unit which displays a remittance order information generation screen for remitting electronic money. Therefore it would have been obvious to one of ordinary skill in the art to modify the invention of Ito to include the display unit, which displays a remittance order information generation screen.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Z. Shaikh whose telephone number is (571)270-03444. The examiner can normally be reached on Monday-Friday (7:30-5); alt fridays.
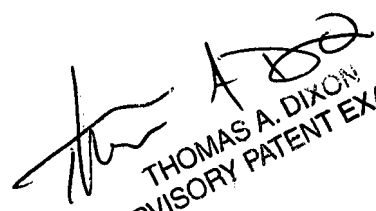
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dixon can be reached on 571-272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mohammad Z Shaikh
Examiner
Art Unit 3609

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THOMAS A. DIXON
SUPERVISORY PATENT EXAMINER